

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: January 22, 2016

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-v-

DOYLE SCOTT ELLIOTT et al.,

Defendants.

09-cv-7594 (KBF)

ORDER

KATHERINE B. FORREST, District Judge:

The Court has reviewed the parties' submissions relating to Mr. Xirinachs's request to include certain additional language to the proposed order submitted by the Liquidation Agent in its motion to confirm the sale and transfer of two parcels of real property to pay the judgment entered by the Court in favor of the Securities and Exchange Commission against Mr. Xirinachs. (ECF Nos. 211, 212, 214, 215, 216.)

The Court has entered the Liquidation Agent's proposed order, and overruled Mr. Xirinachs's request to include certain additional language, because the proposed order submitted by the Liquidation Agent reflects the parties' agreement—and the Court's understanding—as stated on the record at the October 2, 2015 hearing. That understanding was that the sale proceeds would only be subject to liens attached to the subject properties, but would not be subject to the personal liabilities of Mr. Xirinachs. (October 2, 2015 Hearing Tr. at 19-20, ECF

No. 201.) Mr. Xirinachs's proposed modification to the order is not consistent with that understanding.

SO ORDERED.

Dated: New York, New York
January 22, 2016

A handwritten signature in black ink, appearing to read "K. B. Forrest", is written above a horizontal line.

KATHERINE B. FORREST
United States District Judge